

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-1637

ADEPEJU SHERIFA GIWA,

Petitioner,

versus

JOHN ASHCROFT, Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A75-367-398)

Submitted: April 9, 2003

Decided: August 6, 2003

Before WIDENER, LUTTIG, and MOTZ, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Irena Izabella Karpinski, LAW OFFICES OF IRENA KARPINSKI, Washington, D.C., for Petitioner. Robert D. McCallum, Jr., Assistant Attorney General, Civil Division, Allen W. Hausman, Aviva L. Poczter, Office of Immigration Litigation, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Adepeju Sherifa Giwa, a native and citizen of Nigeria, seeks review of a decision of the Board of Immigration Appeals ("Board") affirming the immigration judge's ("IJ") denial of her applications for asylum and withholding of deportation. We have reviewed the administrative record, the Board's order and the IJ's decision and find substantial evidence supports the Board's affirmance of the IJ's conclusion that Giwa failed to establish a well-founded fear of persecution necessary to qualify for asylum. See 8 C.F.R. § 208.13(b) (2002).

The standard for receiving withholding of deportation is "more stringent than that for asylum eligibility." Chen v. INS, 195 F.3d 198, 205 (4th Cir. 1999). An applicant for withholding must demonstrate a clear probability of persecution. INS v. Cardoza-Fonseca, 480 U.S. 421, 430 (1987). As Giwa has failed to establish refugee status, she cannot satisfy the higher standard for withholding of deportation.

We accordingly deny the petition for review. We dispense with oral argument because the facts and legal arguments are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED